

EXHIBIT 3

2017 WL 2930991

Only the Westlaw citation is currently available.

United States District Court, E.D.

Michigan, Southern Division.

Wendy ADELSON, Plaintiff,

v.

OCWEN FINANCIAL, et al., Defendants.

Case No. 07-13142

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Signed 07/10/2017

Attorneys and Law Firms

Wendell N. Davis, Jr., Wendell N. Davis, Jr. Assoc.,
Southfield, MI, for Plaintiff.

Nasseem S. Ramin, Thomas M. Schehr, Dykema Gossett,
Detroit, MI, for Defendants.

Federal Deposit Insurance Company, pro se.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION AND STRIKING DEFENDANT'S RESPONSE (Dkts. 95, 97)

TERRENCE G. BERG, UNITED STATES DISTRICT
JUDGE

*1 This matter is before the Court on two motions: (1) Plaintiff's April 11, 2017 motion for reconsideration (Dkt. 95) of the Court's March 28, 2017 Order Striking Plaintiff's Objections and Adopting the Magistrate's Report and Recommendation (Dkt. 93), and (2) Defendant's Response to Plaintiff's Motion for Reconsideration. (Dkt. 97).

For the reasons set forth below, it is **ORDERED** that Plaintiff's Motion for Reconsideration is **DENIED** and Defendant's response is **STRICKEN**.

I. ANALYSIS

The Court may grant a motion for reconsideration if the movant satisfactorily shows that: (1) a palpable defect misled the parties and the Court; and (2) correcting the defect would result in a different disposition of the case. E.D. Mich. L.R. 7.1(h)(3). A defect is palpable if it is "obvious, clear, unmistakable, manifest, or plain." *Olson v. Home Depot*, 321 F. Supp. 2d 872, 874 (E.D. Mich. 2004). The Court will not grant a motion for reconsideration "that merely present[s] the same issues ruled upon by the court, either expressly or by reasonable implication." *Id.*

Plaintiff's motion does not identify any palpable defects in the Court's Order Striking Plaintiff's Objections and Adopting the Magistrate's Report and Recommendation. (Dkt. 93). Rather, it disagrees with the Court's decision to strike Plaintiff's objections and reiterates the objections to the Magistrate's Report and Recommendation that Plaintiff raised in prior briefs. Because Plaintiff identifies no palpable defect in the Court's order, her motion for reconsideration is not well taken and must be denied.

In addition, because Defendant's response to Plaintiff's motion runs afoul of the Eastern District of Michigan's Local Rule 7.1(h)(2) ("no response to [a motion for reconsideration] and no oral argument are permitted unless the court orders otherwise"), it must be **STRICKEN**.

Accordingly, it is **ORDERED** that Plaintiff's motion for reconsideration (Dkt. 95) is **DENIED** and Defendant's response is **STRICKEN**.

SO ORDERED.

All Citations

Not Reported in Fed. Supp., 2017 WL 2930991